

CONTRACTORS' REVIEW



DECEMBER 1999

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Visit Our Website

You are invited to visit our website to obtain an abundance of information concerning this board. You will find a history of the board, a listing of the current board members, the new general and mechanical contracting statutes and regulations, burglar/fire alarm statutes and regulations, fire sprinkler statutes and regulations, previous newsletters and a listing of the fax-on-demand documents available at the touch of a telephone.

Board Approves Bid Requirements

At its meeting on August 31, 1999, the South Carolina Contractors' Licensing Board unanimously agreed to the following policy regarding bid requirements:

Based upon the definition of "general contractor" or "mechanical contractor," a license is required to bid a construction project only if the overall scope of work for construction falls within the regulated major general contractor classifications of building, highway, public utility, specialty or general contractor subclassifications or the major mechanical contractor subclassifications. The total cost of construction, including all labor, profit and materials, regardless of who buys and pays for the materials, determines whether or not a license is required. If the total cost of the project is greater than \$5,000, and the nature of the work falls within one of the general or mechanical contractors major or subclassifications, a proper license is required.

In order to know which major or subclassification license is required, it must be determined under which major license classification the work should be placed. In other words, what type work is the project? Is it a building, highway, public utility, specialty or mechanical project? Is most of the work related to or ancillary to one of the major or subclassification licenses? A general contractor with a major or sub general contractor classification may submit a bid for the entire project if 40 percent of the total cost of construction is within his/her license classification and group limitation. A mechanical contractor may submit a bid for the entire project if 51 percent of the total cost of construction is within his/her license classification and group limitation. A general contractor with a specialty subclassification may submit a bid for the entire project if 51 percent of the

total cost of construction is within his/her license classification and group limitation.

If the scope of work for a construction project falls within one of the major or subclassification and group licenses and no contractor bidding the project has a license that meets the above required bid percentages, any properly licensed contractor that has a scope of work within the project may submit a bid.

If the project is determined not to fall within the major or subclassification contractor licenses, any contractor that has some work in the project may submit a bid. Any unlicensed contractor that is awarded the bid must hire properly licensed contractor(s) for any regulated work that falls within the major or subclassification licenses and is over the \$5,000 threshold requiring licensure.

An example of a project not requiring licensure would be a project that consists of demolishing a building and erecting a new building in its place. The board does not regulate the demolition of a structure. This is considered unregulated work. The demolition of the existing building could be \$400,000, and building a new building on the site could be \$100,000. There is construction work involved, some regulated and some unregulated. The regulated building work is 20 percent of the cost of the project. This is under the 40 percent requirement to determine what classification of work is required to bid the project. Since the majority of the work to be preformed is unregulated, a demolition company may place a bid on the project. The demolition contractor would have to hire properly licensed contractors to construct the building if he/she had a contract to tear the building down and build

The False Alarm Alarm

Article reprinted from the *False Alarm*, S.C. Alarm Association

On July 1, 1999, the Richland County Sheriff's Department began fining property owners \$100 if officers are called to more than eight false alarms in a one-year period.

False alarms include any activation of a home or business alarm system by mechanical failure or malfunction, improper installation or negligence on the part of the owner. False alarms caused by bad weather do not count.

Because of ordinances such as this being adopted across the country, it is important to understand that you can help end users guard against triggering false alarms with proper initial training. Training the user when the alarm system is first installed can greatly reduce false alarms...and possibly save the owner \$100!

So what are the most frequent human errors that cause false alarms?

- Use of incorrect keypad codes.
- Failure to train other authorized users.
- Failure to secure doors and windows before turning on alarm.
- Failure to notify monitoring facility of unscheduled openings or closings (for businesses using set schedules).
- Failure to update authorized personnel list with monitoring facility.

And what are the most frequent equipment problems that cause false alarms?

- Improper application or installation of interior motion detectors.
- Improper application or installation of outdoor beams.
- Improper charging or checking of batteries.
- Faulty equipment (i.e. panels, detectors, keypads, etc.).

Finally, what can you do to reduce false alarms?

- Make sure those operating your alarm are familiar with alarm system operations.
- Secure doors and windows before turning on the system.
- Beware of changes in the environment (i.e. new animals, design changes, seasonal decorations, plants, etc.)
- Notify monitoring facility of any and all changes (i.e. houseguests, name changes, new employees, termination of employees, etc.).
- Have qualified personnel routinely inspect and maintain equipment.

Now that you are aware of these common false alarm statistics, be sure to do your part to educate your customers and prevent false alarms.

Board Authorizes Use of Citations

Section 40-11-100 of the 1976 Code of Laws of South Carolina, as amended, provides, among other things, that the department may issue administrative citations in person or by certified mail and may assess administrative penalties against any entity or individual, including unlicensed contractors, for violations of the Contractors' Licensing Act as specified by the board. For a first offense, administrative penalties may be assessed against a respondent for not more than \$500 for each violation, up to a maximum of \$2,500 per day. For a second or subsequent offense in a five-year period, the citation must be referred to the board for appropriate action. Accordingly, this policy is adopted by the board in order to specify the violations of the Contractors' Licensing Act, and the Regulations duly promulgated in accordance with it, for which the department's use of citations and administrative penalties is appropriate.

The Contractors' Review is a publication of the S.C. Contractors' Licensing Board and the South Carolina Department of Labor, Licensing and Regulation. It is distributed three times annually to licensees, building officials, architects, awarding authorities and various federal, state and local government officials. Suggestions for articles of interest for publication in this newsletter are welcome. Send written notification to Ron Galloway or call him at (803) 896-4686.

S.C. DEPARTMENT OF
LABOR, LICENSING
AND REGULATION

S.C. CONTRACTORS'
LICENSING BOARD

RONALD E. GALLOWAY
ADMINISTRATOR

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BOARD MEMBERS

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Gary Shelton Columbia

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LICENSING

Supervisor, General (803) 896-4608

Supervisor, Mechanical (803) 896-4627

Alarm and Sprinkler (803) 896-4624

**Board hours are
8:30 a.m. to 5 p.m.
Monday through Friday.**

Disciplinary Actions Against Licensees

Consent Orders

The following individuals and entities were issued a consent order for violation of the general and mechanical contracting statutes in the areas listed and agreed to pay a fine:

- Jimmie Green, Sr., Orangeburg, County, SC, \$1,000
- Tradewinds Electrical, Inc., North Myrtle Beach, SC, \$3,000
- The Beaver Company, Hilton Head, SC, \$2,500
- Green Home Builders, Holly Hill, SC, \$1,000
- William Miller, Barnwell, SC, \$1,000
- Ronald Way, Harleyville SC, \$2,500
- Hawkins Electric, Gaffney, SC, \$500
- Ron Huggins, Florence, SC, \$500
- Stan Parr, Inc. Easley, SC, \$500
- Middleton Construction, Fountain Inn, SC, \$500
- Robert M. Webb, Surfside Beach, SC, \$500
- S&S Roofing, Winnsboro, SC, \$500
- JD & Betty Johnson, Florence, SC, \$1,000
- Amacher Brothers Construction, Dunwoody, GA, \$500

- Frazier Construction Company, Orangeburg, SC, \$500
- William Miller, Barnwell, SC, \$1,000

(Fiscal Year 98)

- Fire Tech Services, Inc., Hilton Head, SC, \$3,750
- Shilo Automatic Sprinklers, Greenville, SC, \$250
- Environmental Engineering Services, Columbia, SC, \$500

Hearing Before Administrative Law Judge

- L & F Fire Protection, Inc., Beaufort, SC, to stop engaging in Fire Sprinkler Contracting

Letter of Caution

- Total Fire Protection, Inc, Clemson, SC

License Sanctions by the Board

- Joe Mcray, Georgetown, SC, Suspended for six months after receipt of Final Order, license number G-14558, suspension stayed upon appeal.
- Billy's Construction, Inc., Conway,

SC, Suspended for six months, reinstated after six months and license is restricted to a Group number 2 limitation of \$100,000 for a period of two years, license number G-97544

- Coopers Building Systems, Pauline, SC, Permanent Revocation, license number G-14793

(Fiscal Year 98)

- RoyCo, Inc., Permanently Revoked, license number G-98450

Cease and Desist Orders

The following individuals and entities were issued an order to Cease and Desist any commercial construction due to not being properly licensed:

- D & N Construction, Hardeeville, SC
- Scenic Home Building, Manning, SC
- G&L Contractor, Greenwood, SC
- Hines Construction, Lake Wylie, SC

Surrendered License Due to Outstanding Complaint

- W & W Diversified, Charleston, SC
- Thomas L. Rouse, Blenheim, SC

Unlicensed Can Equal Unpaid

**By Daniel Patterson, attorney
Leatherwood, Walker & Mann, P.C.**

When South Carolina's revised Contractors' Licensing Law became effective April 1, 1999, it lowered the amount of work that can be performed by unlicensed general contractors from \$30,000 to \$5,000 and changed the classifications for many contractors. The importance of being properly licensed cannot be overstated - an unlicensed contractor or a licensed contractor exceeding its license limitation cannot enforce its contract if a dispute arises.

In *W&N Construction v. Williams*, an unlicensed general contractor entered into a \$60,000 building contract in Seneca. After completion, W&N filed and tried to foreclose on a \$30,481 mechanics' lien. The owner argued that the contract was illegal and unenforceable because W&N

was unlicensed to enter into a \$60,000 contract. The trial court agreed and granted the owner's motion to dismiss the lawsuit.

On appeal, the S.C. Supreme Court affirmed the trial court's ruling, reasoning that the licensing requirements protect the public and that permitting unlicensed contractors to circumvent the requirements by paying only a small fine would defeat the legislative intent of the licensing statute. This ruling allowed the owner to receive the benefit of more than \$30,000 worth of work without compensating W&N for any of it.

In a similar situation, the N.C. Supreme Court concluded that an unlicensed contractor cannot enforce its contract, in *Bryan Builders Supply v. Midyette*. Obviously, the above rule could cause harsh results for a careless contractor.

With South Carolina's new lower

licensing threshold of \$5,000, it is anticipated that many small construction contracts will be illegally performed by unlicensed contractors. Most of these contractors will not realize the risk undertaken until payment is refused and the courts deny enforcement of the underlying illegal contract.

Licensed contractors should be aware that a contract in an amount greater than their license classification might be illegal in its entirety in South Carolina. For example, a \$400,000 contract entered into by a contractor with a \$350,000 license limitation may be illegal and unenforceable, even if the work was properly performed and benefited the owner. Under similar circumstances in North Carolina, a contractor would be allowed to recover up to the amount of its license classification, but no more.

Legislative Changes to New Contracting Law

The following are recent changes to the new general and mechanical contracting laws that went into effect April 1, 1999. These changes became effective June 11, 1999. The underlined parts are the new changes.

Section 40-11-260(A)(3)(b), (c), and (d) of the 1976 Code, as last amended by Act 440 of 1998, is further amended to read:

(b) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with Generally Accepted Accounting Principles (GAAP), including all disclosures required by GAAP indicating a required net worth of seventy thousand dollars;

(c) on renewal, an owner-prepared financial statement with an affidavit of accuracy indicating a required net worth of seventy thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of seventy thousand dollars;

Section 40-11-260(A)(4)(b), (c), and (d) of the 1976 Code, as last amended by Act 440 of 1998, are further amended to read:

(b) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP indicating a required net worth of one hundred fifty thousand dollars;

(c) on renewal, an owner-prepared financial statement with an affidavit of accuracy indicating a required net worth of one hundred fifty thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of one hundred fifty thousand dollars;

Section 40-11-260(B)(3) of the 1976 Code, as last amended by Act 440 of 1998,

is further amended to read:

(b) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with Generally Accepted Accounting Principles (GAAP), including all disclosures required by GAAP indicating a net worth of ten thousand dollars;

(c) on renewal, an owner-prepared financial statement with an affidavit of accuracy indicating a required net worth of ten thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of ten thousand dollars;

Section 40-11-260(B)(4) of the 1976 Code, as last amended by Act 440 of 1998, is further amended to read:

(b) on initial application, a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP indicating a net worth of twenty-five thousand dollars;

(c) on renewal, an owner-prepared financial statement with an affidavit of accuracy indicating a required net worth of twenty-five thousand dollars, or a financial statement compiled by a licensed certified public accountant or a licensed public accountant in accordance with GAAP, including all disclosures required by GAAP, and indicating a required net worth of twenty-five thousand dollars;

Section 40-11-360(A)(8) of the 1976 Code, as added by Act 440 of 1998, is amended to read:

(8) Public owners performing all or a portion of any work on a project themselves as long as the work performed falls within the limitations of a License Group 3 General Contractor or a License Group 4 Mechanical Contractor, as adjusted by an inflation factor reflecting the Department of Labor's Consumer Price Index."

Section 40-11-360(A) of the 1976 Code, as added by Act 440 of 1998, is

amended by adding:

(9) Renovations and maintenance projects of the South Carolina Department of Corrections whereby all labor is supplied from that department's own labor forces.

(10) The South Carolina Public Service Authority when performing maintenance and renovations to existing facilities and when performing work in accordance with Section 40-11-410(4)(n).

Section 40-11-410(4) of the 1976 Code, as added by Act 440 of 1998, is further amended by adding at the end:

(o) 'Boiler installation' which includes those who are qualified to install, repair, and service boilers and boiler piping including the boiler auxiliary equipment, controls, and actuated machinery and dryer rolls. To qualify for this subclassification, a person must pass a technical examination administered by the board or must be the holder of the ASME 'R' stamp or the ASME 'PP' stamp. Anyone holding the masonry or process piping classification as of January 1, 1998, and who has been actively engaged in boiler installation work under these classifications is qualified for this subclassification and exempt from the examination requirement of this subitem.

Section 40-11-60 of the 1976 Code, as amended by Act 440 of 1998, is further amended to read:

The board may adopt rules governing its proceedings and may promulgate regulations necessary to carry out the provisions of this chapter. Regulations must be promulgated to establish the form an owner must use to submit an owner-prepared financial statement as provided in Section 40-11-260(A)(3)(c), (A)(4)(c), (B)(3)(c), and (B)(4)(c). The department must furnish the form to the licensees.

The following is a change to the laws regulated by the South Carolina Residential Builders Commission.

Section 40-59-77 of the 1976 Code, as last amended by Act 72 of 1993, is further amended to read:

(A) The commission shall, by regulation, classify residential specialty contrac-

Mechanic's Liens In South Carolina

By Daniel T. Brailsford, attorney
Robinson, McFadden & Moore, P.C.

NATURE OF MECHANIC'S LIENS:

A mechanic's lien in South Carolina is an encumbrance, like that of a mortgage, on the real estate upon which a project is being built. The lien provides security for payment of persons whose labor and materials have been used in connection with the improvement of the property. Anyone down the contract chain can file a lien, so long as the claimant's labor or materials are traceable to the project. If a tenant instead of the owner entered into the construction contract, then a mechanic's lien attaches only to the leasehold interest, not to the real estate itself.

PERFECTION AND ENFORCEMENT:

The lien must be perfected by serving notice of it upon the owner and filing it in the land office of the county where the project is situated, within 90 days of the last furnishing of materials or labor by the lien claimant. Thereafter, in order to perpetuate the lien, the claimant must bring a civil action to enforce it within 180 days of such last furnishing.

COLLECTIBILITY: The value of the lien cannot exceed the amount owed by the owner (or tenant) on the contract for construction when the lien is filed. Thereafter, the owner must pay the lien claimant in preference to the contractor. In the case of a default by the general contractor, the "amount owed by the owner," to which subcontractor and supplier liens are limited, is measured by determining how much is owed to the general contractor upon lien filing, and deducting from the reasonable costs of completing the project.

PRIORITIES: If there is money left in the contract sum but not enough to pay off all lien claimants, they share pro rata, regardless of the order of filing of the liens. Continuing advances under a prior filed construction mortgage have priority over a mechanic's lien unless the lender is served with a copy of the lien, whereupon the lien achieves priority as to any additional advances made after receipt of notice.

REMOTE LIEN CLAIMANTS AND

DOUBLE PAYMENT: The lien of a remote provider can sometimes exceed the amount owed for the specific labor and materials, which are the subject of the lien. This situation arises where the contractor pays the subcontractor but the subcontractor fails to pay, for example, a supplier. The supplier can still file a lien against the contract balance, even though the general contractor has paid for that particular item. This can result in double payment by the contractor to get rid of a "surprise lien."

THE 1992 AMENDMENT: This inequity, the possibility of a contractor having to pay twice to clear a "surprise lien," was the subject of a 1992 amendment to the mechanic's lien statute, which established a rather complicated procedure to avoid such surprises. Under the amendment, the contractor can file a "notice of project commencement" in the office of the clerk of court of the county of the project, within 15 days of commencement of the work.

The Notice of Commencement: The notice of commencement must contain the names and addresses of both the contractor and owner, a general description of the improvement and the location of the project.

The Location Notice: A "location notice" must also be posted at the jobsite, stating as follows: "The contractor on this project, (give name and address), has filed a notice of project commencement at the county courthouse. Sub-subcontractors and suppliers to subcontractors shall comply with Section 29-5-20 when filing liens in connection with this project."

The Notice of Furnishing: Once the contractor has properly filed the notice of commencement and referenced it in the location notice posted at the jobsite, no lien of a remote subcontractor or supplier (remote provider) can exceed the amount owed by the contractor to the subcontractor or supplier to whom the unpaid-for labor or materials were furnished, unless the remote provider has sent the general contractor a certified "notice of furnishing labor or materials." The notice of furnishing must provide the following:

- (1) the name of the sub-subcontractor or supplier who claims payment;
- (2) the name of the person with whom the claimant contracted or who employed him/her;
- (3) a description of the labor, services or materials furnished and the contract price or value thereof;
- (4) a description of the project where labor, services or materials were used sufficient for identification;
- (5) the date when the first and the last item of labor or service or materials was or will be furnished;
- (6) the amount claimed to be due, if any.

BONDING OFF: Anyone with an interest in the property can bond off the lien with a cash bond or surety bond in the amount of 1 1/3 the face value of the lien. Filing the bond discharges the property and substitutes the bond as security for payment of the lien amount upon a determination in court of its validity.

ATTORNEY'S FEES: The prevailing party in a mechanic's lien enforcement action can recover its attorney's fees. There is a complicated procedure set forth in the statute for determining who is the "prevailing party."

WAIVER: No mechanic's lien waiver not substantially paid for is enforceable under South Carolina law.

Bid Requirements

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a new one. There would not be anyone more qualified to demolish the building than a contractor who does this for a living. It would be imprudent, but not unlawful, for a licensed building contractor to bid the project because he/she could demolish the building and not have any expertise in demolition.

Governor Launches Worker Safety Campaign

Gov. Jim Hodges and the South Carolina Department of Labor, Licensing and Regulation have launched a statewide campaign to bring attention to a free and innovative program designed to make South Carolina work places safer.

Under the theme, SafetyWorks!, the governor is urging employers across the state to take advantage of the free services offered by the S.C. Office of OSHA Voluntary Programs (S.C. OVP). The program, which is independent of S.C. OSHA's enforcement arm, offers expert advice and hands-on help to companies across the state.

The ultimate goal of S.C. OVP is to make sure employers are providing work sites that are safe and healthy for employees.

"I can think of no better way to pay tribute to this state's work force than to

launch a campaign to create safer and healthier work places," Gov. Hodges said.

LLR Director Rita M. McKinney said S.C. OVP's staff is ready to help South Carolina businesses make their work places safe and healthy.

"The OVP team has 200 years of experience in industries ranging from textiles to construction to health care, at both large and small companies. They offer long-term experience to solve a long-term problem," McKinney said. "All we ask is that businesses give us an opportunity."

The governor launched the campaign at news conferences in Greenville and Columbia.

The Greenville news conference was held at KEMET Electronics Corp., Fountain Inn Plant. KEMET uses S.C. OVP services.

"At KEMET, we consider the Office of



SafetyWorks!

S.C. OFFICE OF OSHA
VOLUNTARY PROGRAMS

OSHA Voluntary Programs to be a vital member of our health and safety team," said KEMET's President and Chief

SEE **SAFETY CAMPAIGN** PAGE 7

Consultation, Training Only a Request Away

If you would like to take advantage of OVP's free services, here's what you need to know:

The consultation process starts with a written request from a business, by facsimile or by mail, on company stationary. The request is assigned to a safety and health consultant with expertise in the particular field. The consultant contacts the company by phone and arranges a convenient time for both parties.

On the appointed day, the consultant goes to the work site. He or she meets with representatives of the business and collects information about the employer's accident history, experience with OSHA and information about the company's safety program, if one exists.

The consultant explains that the employer is responsible for correcting, controlling or eliminating all hazards identified within the time frames agreed upon. Failure to do so results in a referral to OSHA enforcement.

After the information gathering

stage, the consultant asks a company representative to accompany him or her on a tour of the facility. For example, in manufacturing, the consultant follows the process of whatever the company is making from beginning to end. The flow of the product is followed from the time raw materials are received, through the manufacturing process and until the time it is shipped out the door. On a construction site, the consultant starts the tour at the job trailer and works his or her way to the front door of the facility. On a high-rise, the consultant starts at the bottom and works up to the top.

During the tour, the consultant talks with employees to learn about working conditions and to see if they have concerns about safety. On the tour, the consultant looks for OSHA safety and health violations and unsafe acts or conditions.

At the closing conference, the consultant discusses options for correcting, controlling or eliminating hazards identified. Time frames are

discussed and negotiated. Shortly after the visit, the company receives a written report that summarizes the consultant's findings and the agreed upon time periods for correction, control or elimination.

Businesses may request free training for employees on a variety of safety and health topics by submitting a request in writing to OVP, by facsimile or by mail.

The request is assigned to a training coordinator with expertise on the particular subject. The trainer negotiates with the company a time and place to provide the training.

In addition to training classes conducted at the company's work site, OVP offers regional training programs around the state throughout the year on a variety of safety and health issues.

OVP can be reached by phone at (803) 734-9599, by fax at (803) 734-9741 or by email at scovp@mail.llr.state.sc.us.

General and Mechanical Contractor License Renewal

If you were a licensed general or mechanical contractor for the licensing period 1997/1998 and the first part of 1999, you should have received your new license card. The license renewal deadline was September 1, 1999. If you did not submit a license renewal form for the 1999/2001 licensing period, you are not currently licensed and should not engage in construction regulated by this board in the amounts of \$5,000 or more.

Renewal applications received by this office in October must include a \$150 late fee penalty in addition to the \$360 license fee. Applications received in November must include a \$200 late fee penalty. Licensees who do not submit a renewal

form prior to December 1 must apply for initial licensure. You will have to submit a new application and a new financial statement for the group limitation in which you are seeking licensure. A technical or Code of Laws exam does not have to be taken unless the primary qualifying party has not been a qualifying party for a South Carolina general or mechanical contractor for the last four or more consecutive years. In this case, the qualifying party must retake any required examinations in order to be a qualifying party for the entity seeking licensure.

The board has voted to change the existing licensing period to a new time frame. The license issued as of September

1, 1999, will be good until October 31, 2001. The next licensing period will be from November 1, 2001, until October 31, 2003.

Since there have been so many changes to the licensing statutes and due to an overwhelming increase in entities seeking licensure, please check your license card and make sure that you have the correct license and group limitation(s) for which you are entitled. If you contract in a classification or group limitation, and the information was issued in error, this could cause serious complications. Please contact this office, and we will work with you to rectify any problems as soon as possible.

Safety Campaign - *continued from page 6*

Operating Officer Charles Culbertson. "If they were not available to give us their help and support, we would have to pay big bucks to a private consulting organization for the same services OVP provides to any South Carolina company for free."

Culbertson continued: "Not only is the service provided by the Office of OSHA Voluntary Programs something that all South Carolina companies can afford – it is something no South Carolina company can afford to be without."

The Columbia news conference was held at the M.B. Kahn Construction Company, White Knoll High School construction site, in Lexington County. M.B. Kahn also uses S.C. OVP's services.

"After a S.C. OVP visit, accidents decrease and productivity picks up," said Daniel Wessinger, safety manager at M.B. Kahn. "On one particular job, we were having an incident rate of about 25 to 30. After a S.C. OVP visit, our incident rate went down to 5."

"People on the job site know the basics, but after a while they get complacent," Wessinger said. "The OVP consultant brings everyone's attention back to safety."

OVP can provide assistance to employers in three ways:

- Consultations by safety and health professionals who can help employers spot workplace problems before they can cause injury or illness. Records are kept confidential.
- Training classes for employees covering the key safety issues they face each day from personal protective equipment to fall protection to violence in the workplace. In addition to regularly scheduled classes across the state, S.C. OVP can bring tailor-made classes to the worksite.
- Phone consultations to answer questions about safety regulations and resources.

As part of the SafetyWorks! campaign, S.C. OVP has a new website on the Internet, which is an invaluable resource to businesses for getting information about OVP services and work place safety in general. The address is: www.scovp.state.sc.us.

"I encourage all South Carolina employers to put the OVP team at LLR to work for your business," the governor said. "Safety works!"

Contracting Law

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tors in a manner consistent with established usage and procedure in the construction business, and may limit the field and scope of the operations of a residential specialty contractor to those in which he is to be registered. All residential specialty contractor registrations issued by the commission must be for one or more of the classifications adopted pursuant to this chapter.

(B) Residential specialty contractors must be qualified and experienced in the particular branches or fields of the contracting vocation in which they intend to, and do, engage.

Residential specialty contractors are not exempt from complying with county and municipal business license ordinances or other regulatory ordinances. Any county or municipality may require a residential specialty contractor to be examined and licensed in accordance with standards adopted by the county or municipality. However, a county or municipality may not adopt requirements that would require that a residential specialty contractor abide by commercial construction licensing requirements unless he is engaged in commercial construction.

Have You Moved?

It is the responsibility of the licensees to keep the board office aware of current address and telephone information. When these changes occur, please notify this office immediately.

Please send in a card with the following information:

Date: _____

Name of Licensee: _____

Old Address: _____

New Address: _____

Old Phone Number: _____

New Phone Number: _____

Signature: _____

Board Meeting Dates

Board meeting dates have been established for the year 2000. Meetings will begin at 10 a.m. and will be held at the South Carolina Department of Labor, Licensing and Regulation, 110 Centerview Drive, Kingstree Building, Columbia, S.C. These meetings are open to the public: January 20, April 20, July 20 and October 19.

Fax-on-Demand for Forms

The Office of Real Estate and Building Code Professions (OREBCP) has initiated a Fax-on-Demand system to include forms and information for the S.C. Contractors' Licensing Board. You won't have to wait for information to come in the mail. Applications are available at the touch of a button and can be sent directly to you by fax. The system is voice activated. Call 24 hours a day toll free, 1-888-269-7646, and select option # 4 for the Contractors' Licensing Board, follow the instructions and state what documents you need.